

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 23-23865-CIV-ALTONAGA/Reid**

**RDY STORE INC.,**

Plaintiff,

v.

**WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY CO.; et al.,**

Defendants.

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**FINAL JUDGMENT**

**THIS CAUSE** came before the Court on Defendants, Westchester Surplus Lines Insurance Company and Illinois Union Insurance Company's Motion for Final Summary Judgment [ECF No. 58], filed on July 23, 2024. For the reasons set forth in the Court's Order [ECF No. 70] granting the Motion, it is

**ORDERED AND ADJUDGED** as follows:

1. Coverage for the underlying lawsuit, *Cardenas v. 7-Eleven Inc.*, No. 2023-012179-CA-01 (Fla. 11th Cir. Ct. 2024), is excluded by the Total Assault & Battery Exclusion of Westchester Surplus Lines Insurance Company's Commercial General Liability Policy No. FSF15801736 002.
2. The underlying lawsuit does not trigger the Insuring Agreement of Illinois Union Insurance Company's Liquor Liability Policy No. LQRFLF158020174-002.
3. Requests for costs shall not be submitted until after any post-judgment motions are decided or an appeal is concluded, whichever occurs later.
4. The Court retains jurisdiction over this cause and over the parties for the purposes of entering all post-judgment orders that are just and proper.
5. The Clerk is directed to **CLOSE** the case.

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**DONE AND ORDERED** in Miami, Florida, this 27th day of August, 2024.

  
CECILIA M. ALTONAGA  
CHIEF UNITED STATES DISTRICT JUDGE

cc: counsel of record